

106TH CONGRESS
1ST SESSION

S. 1789

To provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 1999

Mr. GORTON (for himself and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Regional Presidential
5 Selection Act of 1999”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CAUCUS.—The term “caucus” means any
9 convention, meeting, or series of meetings held for

1 the selection of delegates to a national Presidential
 2 nominating convention of a political party.

3 (2) ELECTION YEAR.—The term “election year”
 4 means a year during which a Presidential election is
 5 to be held.

6 (3) NATIONAL COMMITTEE.—The term “na-
 7 tional committee” means the organization which, by
 8 virtue of the bylaws of a political party, is respon-
 9 sible for the day-to-day operation of such political
 10 party at the national level, as determined by the
 11 Federal Election Commission.

12 (4) POLITICAL PARTY.—The term “political
 13 party” means an association, committee, or organi-
 14 zation which—

15 (A) nominates a candidate for election to
 16 any Federal office whose name appears on the
 17 election ballot as the candidate of such associa-
 18 tion, committee, or organization; and

19 (B) won electoral votes in the preceding
 20 Presidential election.

21 (5) PRIMARY.—The term “primary” means a
 22 primary election held for the selection of delegates to
 23 a national Presidential nominating convention of a
 24 political party, but does not include a caucus, con-
 25 vention, or other indirect means of selection.

1 (6) STATE COMMITTEE.—The term “State com-
 2 mittee” means the organization which, by virtue of
 3 the bylaws of a political party, is responsible for the
 4 day-to-day operation of such political party at the
 5 State level, as determined by the Federal Election
 6 Commission.

7 **SEC. 3. SCHEDULE.**

8 (a) SCHEDULE.—

9 (1) FIRST ELECTION CYCLE.—Subject to para-
 10 graph (3), in 2004, each State shall hold a primary
 11 in accordance with this Act, according to the fol-
 12 lowing schedule:

13 (A) REGION I.—Each State in Region I
 14 shall hold a primary on the first Tuesday in
 15 March.

16 (B) REGION II.—Each State in Region II
 17 shall hold a primary on the first Tuesday in
 18 April.

19 (C) REGION III.—Each State in Region III
 20 shall hold a primary on the first Tuesday in
 21 May.

22 (D) REGION IV.—Each State in Region IV
 23 shall hold a primary on the first Tuesday in
 24 June.

25 (2) SUBSEQUENT ELECTION CYCLES.—

(A) GENERAL RULE.—Subject to paragraph (3), except as provided in subparagraph (B), in each subsequent election year after 2004, each State in each region shall hold a primary on the first Tuesday of the month following the month in which the State held a primary in the preceding election year.

(B) LIMITATION.—If the States in a region were required to hold primaries on the first Tuesday in June of the preceding election year, such States shall hold primaries on the first Tuesday in March of the succeeding election year.

(3) EXCEPTION.—If all but one of the seriously considered candidates withdraw from a primary in a State before the date on which the primary for such State is scheduled, the State may cancel the primary in the State.

(b) REGIONS.—For purposes of subsection (a):

(1) REGION I.—Region I shall be comprised of the following:

(A) Connecticut.

(B) Delaware.

(C) District of Columbia.

(D) Maine.

- 1 (E) Maryland.
- 2 (F) Massachusetts.
- 3 (G) New Hampshire.
- 4 (H) New Jersey.
- 5 (I) New York.
- 6 (J) Pennsylvania.
- 7 (K) Rhode Island.
- 8 (L) Vermont.
- 9 (M) West Virginia.

10 (2) REGION II.—Region II shall be comprised of
11 the following:

- 12 (A) Alabama.
- 13 (B) Arkansas.
- 14 (C) Florida.
- 15 (D) Georgia.
- 16 (E) Kentucky.
- 17 (F) Louisiana.
- 18 (G) Mississippi.
- 19 (H) North Carolina.
- 20 (I) Oklahoma.
- 21 (J) South Carolina.
- 22 (K) Tennessee.
- 23 (L) Texas.
- 24 (M) Virginia.

1 (3) REGION III.—Region III shall be comprised
2 of the following:

- 3 (A) Illinois.
- 4 (B) Indiana.
- 5 (C) Iowa.
- 6 (D) Kansas.
- 7 (E) Michigan.
- 8 (F) Minnesota.
- 9 (G) Missouri.
- 10 (H) Nebraska.
- 11 (I) North Dakota.
- 12 (J) Ohio.
- 13 (K) South Dakota.
- 14 (L) Wisconsin.

15 (4) REGION IV.—Region IV shall be comprised
16 of the following:

- 17 (A) Alaska.
- 18 (B) Arizona.
- 19 (C) California.
- 20 (D) Colorado.
- 21 (E) Hawaii.
- 22 (F) Idaho.
- 23 (G) Montana.
- 24 (H) Nevada.
- 25 (I) New Mexico.

1 (J) Oregon.

2 (K) Utah.

3 (L) Washington.

4 (M) Wyoming.

5 (5) TERRITORIES.—The national committees
6 shall jointly determine the region of each territory of
7 the United States.

8 **SEC. 4. QUALIFICATION FOR BALLOT.**

9 (a) CERTIFICATION BY FEDERAL ELECTION COMMIS-
10 SION.—The Federal Election Commission shall certify to
11 the States in the relevant region the names of all seriously
12 considered candidates of each political party—

13 (1) for the first primary in the election year,
14 not later than 6 weeks before such primary; and

15 (2) in the subsequent primaries in the election
16 year, not later than one week after the preceding
17 primary in such election year.

18 (b) STATE PRIMARY BALLOTS.—Each State shall in-
19 clude on the State's primary ballot—

20 (1) the names certified by the Federal Election
21 Commission; and

22 (2) any other names determined by the appro-
23 priate State committee.

1 **SEC. 5. VOTING AT NATIONAL PARTY CONVENTIONS BY**
 2 **STATE DELEGATES.**

3 (a) IN GENERAL.—Each State committee shall estab-
 4 lish a procedure for the apportionment of delegates to the
 5 national Presidential nominating convention of each polit-
 6 ical party based on one of the following models:

7 (1) WINNER-TAKE-ALL.—A binding, winner-
 8 take-all system in which the results of the primary
 9 bind each member of the State delegation or Con-
 10 gressional district delegation (or combination there-
 11 of) to the national convention to cast a vote for the
 12 primary winner in the State.

13 (2) PROPORTIONATE PREFERENCE.—A binding
 14 proportionate representation system in which the re-
 15 sults of the State primary are used to allocate mem-
 16 bers of the State delegation or Congressional district
 17 delegation (or combination thereof) to the national
 18 convention to Presidential candidates based on the
 19 proportion of the vote for some or all of the can-
 20 didates received in the primary in the State.

21 (b) SELECTION OF DELEGATES.—

22 (1) SUBMISSION OF NAMES.—Not later than
 23 the date on which a candidate is certified on the bal-
 24 lot for a State, such candidate shall submit to the
 25 State committee, in priority order, a list of names of

1 individuals proposed by the candidate to serve as
 2 delegates for such candidate.

3 (2) SELECTION.—Delegates apportioned to rep-
 4 resent a candidate pursuant to the procedure estab-
 5 lished under subsection (a) shall be selected accord-
 6 ing to the list submitted by the candidate pursuant
 7 to paragraph (1).

8 (c) VOTING AT THE NATIONAL CONVENTIONS.—
 9 Each delegate to a national convention who is required
 10 to vote for the winner of the State primary under the sys-
 11 tem established under subsection (a) shall so vote for at
 12 least 2 ballots at the national convention, unless released
 13 by the winner of the State primary to which such dele-
 14 gate's vote is pledged.

15 **SEC. 6. OPTIONAL STATE CAUCUS TO SELECT DELEGATES.**

16 (a) ELECTION.—Instead of, or in addition to, holding
 17 the primary required under section 3, a State may elect
 18 to select delegates to a national Presidential nominating
 19 convention of a political party in accordance with this sec-
 20 tion, through a caucus held by any political party which
 21 has the authority to nominate a candidate.

22 (b) SCHEDULE.—A State that makes an election
 23 under subsection (a) shall ensure that the caucus does not
 24 commence earlier than the date such State otherwise
 25 would be required to hold a primary under section 3.

1 (c) QUALIFICATION FOR BALLOT.—A State com-
2 mittee of a political party that holds a caucus shall certify
3 and include candidates in the same manner provided
4 under section 4.

5 (d) VOTING AT NATIONAL PARTY CONVENTIONS BY
6 STATE DELEGATES.—Each State committee shall estab-
7 lish a procedure for the apportionment of delegates to the
8 national Presidential nominating convention of each polit-
9 ical party and the method of selecting such delegates.

10 **SEC. 7. EFFECTIVE DATE.**

11 This Act shall apply with respect to any primary or
12 caucus held in connection with a general election held in
13 the year 2004 and in each election year thereafter.

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